

## **REMARKS**

Claims 1, 2, 7-9, and 14 are pending in the present application. Claims 1 and 8 are in independent form, and have been amended hereby. Favorable reconsideration is requested.

Reconsideration is respectfully requested of the rejection of Claims 1, 2, 7-9, and 14 under 35 U.S.C. §102(e), as being anticipated by U.S. Patent Publication No. 2004/0136368 ("Wakayama").

Independent Claims 1 and 8 have been amended to clarify the difference between "retrieval pattern" and "packet type," and as amended read as follows:

1. A statistic information extraction method comprising:

a first step of setting in a table *a packet type, a pattern extraction position* within a header of a received packet corresponding to the packet type, and *a retrieval pattern* corresponding to the pattern extraction position which are selectable in accordance with a user policy;

a second step of extracting a retrieval pattern from received packets, based on the pattern extraction position set in the table when the received packet corresponds to the packet type set in the table; and

a third step of storing statistic information of the extracted retrieval pattern when the extracted retrieval pattern meets the retrieval pattern set in the table.

8. A statistic information extraction device comprising:

a first means setting in a table *a packet type, a pattern extraction position* within a header of a received packet corresponding to the packet type, and *a retrieval pattern* corresponding to the pattern extraction position which are selectable in accordance with a user policy;

a second means extracting a retrieval pattern from received packets, based on the pattern extraction position set in the table when the received packet corresponds to the packet type set in the table; and

a third means storing statistic information of the extracted retrieval pattern when the extracted retrieval pattern meets the retrieval pattern set in the table.

Namely, the presently claimed invention sets in a table “a packet type,” “a pattern extraction position within a header of a received packet corresponding to the packet type,” and “a retrieval pattern corresponding to the pattern extraction position,” which are selectable in accordance with a user policy, and extracts a retrieval pattern from received packets, based on the pattern extraction position set in the table when the received packet corresponds to the packet type set in the table and stores statistic information of the extracted retrieval pattern when the extracted retrieval pattern meets the retrieval pattern set in the table.

Wakayama, as best understood, merely discloses writing statistic information of a packet, and fails to teach or suggest the presently claimed “a packet type,” “a pattern extraction position,” and “a retrieval pattern,” as noted above. In the Response to Arguments section of the Office Action, the Examiner merely refers to “a packet type,” however, fails to refer to “a pattern extraction position” and “a retrieval pattern” and their presently claimed relationships.

In addition to the aforementioned arguments, Applicant respectfully requests the Examiner to reconsider the arguments in the previous response mailed December 30, 2009.

Accordingly, it is respectfully submitted that amended independent Claims 1 and 8, and the claims depending therefrom, are not anticipated by Wakayama.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is

respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

/Pedro C. Fernandez/  
Pedro C. Fernandez  
Reg. No. 41,741

**CUSTOMER NUMBER 026304**

Telephone: (212) 940-6311  
Fax: (212) 940-8986  
Docket No.: FUJZ 22.365 (100794-01037)  
PCF:fd